

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, January 13, 2010 at 1:00 p.m. in Committee Room #2, City Hall South, 2<sup>nd</sup> Floor.

**Present:** Councilmember Adrean, Chair  
 Councilmember Felicia A. Moore  
 Councilmember C.T. Martin  
 Councilmember Aaron Watson  
 Councilmember Alex Wan  
 Councilmember H. Lamar Willis

Roosevelt Council, Acting CFO  
 Departmental Staff

**Absent:** Councilmember Howard Shook

Chairperson Adrean called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, C.T. Martin, Aaron Watson, Alex Wan and H. Lamar Willis. Other Departmental staff was present as well.

The Agenda was adopted as printed with one new Resolution. The minutes of the Finance/Executive Committee December 2, 2009 were adopted as well.

#### **ELECTION OF VICE CHAIR**

Chairperson Adrean offered a motion for the election of the Vice Chair. Councilmember Wan offered a nomination of Councilmember Felicia A. Moore as Vice Chair. Councilmember Martin seconded. Chairperson Adrean stated that she is thankful for Councilmember Moore accepting the nomination.

#### **CONSENT AGENDA**

#### **TO SUBMIT A PERFORMANCE AUDIT REPORT FOR INDIRECT COST ALLOCATION**

10-C-0054 (1) A Communication by City Auditor Leslie Ward submitting a Performance Audit Report for Indirect Cost Allocation.

#### **HELD**

Chairperson Adrean stated that there is a report from Ms. Ward. The Committee wants to hear from Ms. Ward when the report is ready. Interim CFO Council responded that the report was done in early December. It will be ready on January 27<sup>th</sup> as well as the Indirect Cost Allocation and the Close Out Ordinance. Chairperson Adrean asked about the timetable for the Budget. What about the place holder regarding the goals and priorities. Interim CFO Council responded that at the Pre-Briefing the question was asked about priorities from last year's budget. Because of the hardship there were no priorities.

**Mr. Larry Stokes:** Research and Policy Analyst addressed the Committee by stating that there was legislation to be put in place to push back the priorities to March instead of January. Interim CFO Council responded that it is our intent to include it and we will send out a revised schedule. Councilmember Martin stated that he hopes that when the Committee request information, Councilmembers, please review what we have recommended in the past so they can get a sense of what our thoughts have been and look at the five year plan. We want to see what the Departments needs are and what their priorities are. He is hearing a lot of talk about giving the Police additional compensation without giving other employees anything. If we do something for one body, we have to do it for all. There is a morale problem with our workforce. They are working with inoperable equipment. He suggests that the Council go visit the work sites. These facilities are sick looking. Councilmember Bond has put in legislation to help with Police and Fire. In the five year plan there is no concrete documentation for any increments or bonuses. They have gone without for a very long time. We did a

COLA early during the last Administration. We need to compensate everyone. Councilmember Moore stated that we need to adopt the Financial Stabilization Plan. Before the Council does a wish list or goals, we need to adopt the plan and use it as a guide to move forward. The Budget Office has stated that we do not have any money and no additional resources. We have deferred and cut many things. She wants everyone to have more money. She is not supportive of doing anything that will harm us. Please let's establish the five year plan first. Councilmember Martin asked if the five year plan is before us. Councilmember Moore stated that we have to get with the Administration and do a Committee Paper. She is not sure if they have looked at the plan or if they want to move forward with the way it is. Chairperson Adrean asked if we could be updated on the Budget and cash flow analysis at the next meeting as well as revenue to date against the budget. Has any changes been made to the five year plan? Interim CFO Council responded that no changes have been made, but he and Mr. Aman is scheduling something with the Mayor to discuss it. We have the monthly financials on the books. Councilmember Martin offered a motion to **Hold, 6 Yeas.**

### **TO SUBMIT THE CITY OF ATLANTA RETIREMENT REVIEW-PHASES II & III**

10-C-0056 (2) A Communication by Mayor Shirley Franklin submitting the City of Atlanta Retirement Review – Phases II & III Plan Design and Financial Impact Report.

#### **HELD**

### **TO APPOINT MR. PETER AMAN TO SERVE AS CHIEF OPERATING OFFICER**

10-C-0138 (3) A **Amended** Communication by Mayor Kasim Reed appointing **Mr. Peter Aman** to serve as Chief Operating Officer for the City of Atlanta. **(Finance/Executive Committee Amends the Code regarding being a resident of the City of Atlanta, 1/13/10)**

#### **FAVORABLE AS AMENDED**

**Mr. Peter Aman:** Mayor's Office Chief Operating Officer addressed the Committee by stating that he has lived in the Atlanta area since 1996. He has worked as a senior partner with Bain and Company. He has helped improve customer service across all regions. He looks forward to the opportunity to serve as Chief Operating Officer. Councilmember Martin stated that he has expressed the availability of the COO to the Councilmembers. In the last Administration we lost that credibility. He hopes that the spirit is there to be on the same page. We have to address our goals and objectives. You all have the responsibility for the day to day operations. We have to have good communication. We heard in this election that people want better customer service. We understand that this is not the easiest job. The City is changing in different ways. We have to make a statement about who we are. Chairperson Adrean asked for an Amendment because Mr. Aman lives on the border of the corporate limits of the City.

**Mr. Roger Bhandari:** Acting City Attorney addressed the Committee by stating that it is in the Charter where Commissioners have to reside within the City of Atlanta. There was a bill in the Legislature to change that. The Amendment is approved, **5 Yeas.** Councilmember Martin asked about the compensation package. What is different?

**Ms. Sherry Dickerson:** Acting Commissioner addressed the Committee by stating that his salary is the same as the former COO. Councilmember Martin asked if there is anything else different. Acting Commissioner Dickerson responded that it is the same. Mr. Stokes added that we provided funds for his retirement fund. Ms. Dickerson stated that is not true. Councilmember Moore stated that she has an issue because in the previous Administration, the COO was comparable to a City Manager. They should attend the meetings of Council and be available for Council. How will you handle this position and work with Council? Is it you we will see or someone else? Mr. Aman responded that he and the Mayor intend to be collaborative with Council. He plans on

being available at all times. He sees the role as being available to Council. He plans on attending the Finance/Executive Committee meetings. He plans to be available for questions on particular issues. His experience is that Public Safety was asking the same questions he was asking. Had not the Administration been available at the last Public Safety and Legal Administration Committee meeting, the media would have taken advantage of that. Councilmember Martin stated that he has worked with a Presidential Administration and understands the nature of the bureaucracy and confidentiality. That management style went wrong. He is interested in taking a stand for people who don't understand the political process. The people don't want excuses. He hopes that Dave Edwards style is not an influence on him. It is too vital and important not to have the right information. The Mayor being available at last night's Public Safety meeting helped set the tone. He then stated that he was part of Maynard Jackson's Administration and he wanted us to be in touch with the people. The Administration now seems to be hard core with Council. Being able to get results, means good communication. Remember that we are the elected Officials. We can do it as a team or be indifferent. Mr. Aman responded that he wants to be held accountable. He believes in transparency. Councilmember Willis asked what does the work shop look like in the Administration? When we learn about things we learn from the Administration or the press. The same issues and concerns on the campaign trail is the same Council has. Mr. Aman responded that he will send the information over. The operating Departments reports are as before. There are some acting positions. Dave Edwards is serving in an advisory capacity. He will provide the information that Council requests.

**Mr. Dave Walker:** addressed the Committee by stating that he recognizes Ms. Bickers from the School Board. The former Mayor did not know how to be a Mayor. He supports this nomination. He thinks Mayor Reed has inherited a new car without a steering wheel and no gas. If Dave Edwards is around more than 30 days, the truth will be told. Chairperson Adrean offered a motion to **Approve as Amended, 6 Yeas**. The vote was unanimously approved. Councilmember Martin asked if the five year plan will be tweaked. Mr. Aman responded that there may be some adjustments. We are in the process of altering some of it. We will talk about it beforehand. Councilmember Moore stated that the five year plan is not that specific. Mr. Aman responded that we are working out the plans for the Recreational Centers. One concern is increasing staffing for Public Safety. Councilmember Moore stated that when we have that discussion, we can figure out what the budget should be. Mr. Aman responded that we are looking at all multiple resources and we are fiscally restrained. Right now we are out of money. Councilmember Martin stated that the street sweeping operation has changed. It used to be covered when you paid your taxes as well as park improvement and solid waste. The straws from the pine trees are clogging up our system. We have a \$2 billion dollars infrastructure need. The longer we prolong it, the more it is going to cost when we find some money. Service Delivery is about as high as crime. The citizens are crying out. If we cut everything to the bare bone it is going to be a dilemma. In 2013, we will have a headache. Mr. Aman responded that we will have to pick up the cost of the COPS program in 2013. There is an enormous pickup for the pension. At some point we have to put money into infrastructure. Chairperson Adrean thanked Mr. Aman for the information.

#### **TO AUTHORIZE THE 2010 (WATER AND SEWER RENEWAL AND EXTENSION FUND) BUDGET**

10-O-0126 (1)

An Ordinance by Finance/Executive Committee amending the 2010 (Water and Sewer Renewal and Extension Fund) Budget by adding to Anticipations and Appropriations in an amount of fifty thousand dollars and no cents (\$50,000.00) for a "Pass Through" Grant Award from the Georgia Environmental Protection Division for the construction of a Greengrid Roof System at the Woodruff Arts Center; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2010 (2004 WATER AND WASTEWATER BOND FUND – 5058)**

- 10-O-0127 (2) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the FY 2010 (2004 Water and Wastewater Bond Fund – 5058) Budget in the amount of twenty three million dollars and no cents (\$23,000,000.00) to transfer Funds from the Capital Projects Reserve (5058) for Appropriations and to add to Appropriation Funds for repairs to the RM Clayton WTP due to 2009 Flood Related Damage; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO EXECUTE A CORRECTION DEED**

- 10-O-0128 (3) An Ordinance by Finance/Executive Committee authorizing the Mayor to execute a Correction Deed to cure an incorrect legal description on a Deed authorized by Ordinance 94-O-1280, executed on November 3, 1994 and recorded on November 7, 1994 approving the transfer of the Finch Elementary School property to the Atlanta Board of Education; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AUTHORIZE THE TERMINATION OF THAT CERTAIN INTEREST RATE EXCHANGE AGREEMENT**

- 10-O-0129 (4) An Ordinance by Finance/Executive Committee to authorize the termination of that certain Interest Rate Exchange Agreement related to the City's Outstanding Water and Wastewater Revenue Bonds, Series 1994A, and the payment of a Swap Termination Fee in connection with the termination of said Interest Rate Exchange Agreement; all payments shall be charged to and paid from Watershed Renewal and Extension Fund; authorizing the execution a confirmation of Swap Termination Delineating the Terms associated with the payment of said Swap Termination Fee in connection with the Termination of said Interest Rate Exchange Agreement; granting the Mayor the authority to approve and execute any and all other documents and certificates with respect to the Termination of said Interest Rate Exchange Agreement; authorizing certain Officials and Employees of the City to take all actions required in connection with the Termination of said Interest Rate Exchange Agreement; providing certain other details with respect thereto; providing an effective date; and for other purposes.

**FAVORABLE ON FIRST READ**

**REGULAR**

**TO EXECUTE AND DELIVER CERTAIN QUITCLAIM DEEDS**

- 10-O-0130 (1) An Ordinance by Councilmember Carla Smith authorizing the Mayor, on behalf of the City of Atlanta (The "City"), to execute and deliver certain Quitclaim Deeds relating to certain real property acquired during the era of the Centennial Olympic Games to the Atlanta Fulton County Recreation Authority (The "Authority"); and for other purposes.

**FAVORABLE**

Councilmember Smith stated that we are working on the Stadium TADS. The Atlanta Olympic Committee bought parcels of land and quitclaimed them to the City and Fulton County. This paper quitclaims the pieces of land given to the City to ACORA. We are putting them under one leadership. Councilmember Martin asked if any different appraisals being done.

**Mr. John Levell:** of the Office of Enterprise Assets Management addressed the Committee by responding no. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

**TO CALL FOR THE CREATION OF A PUBLIC SAFETY IMPROVEMENT FUND**

10-R-0136 (1) A Resolution by Councilmembers Michael Julian Bond, H. Lamar Willis, Kwanza Hall, Ivory Lee Young and Aaron Watson calling for the creation of a Public Safety Improvement Fund; requesting the Mayor or his Designee to direct City Staff to add the creation of such a Fund to the City's 2010 Georgia General Assembly Legislative Package; and for other purposes.

**FAVORABLE**

Councilmember Michael Bond stated that this has to be done by the Legislature. Councilmember Moore stated that she understands the initiative, but is this what the Mayor is attempting to do. Councilmember Bond responded that it is similar to what the Mayor is doing. He has added two options. It will be decided by the voters and it will be a Municipal Option Sales Tax (MOST). Councilmember Moore stated that each of them has their own issue. We have an additional penny for transportation and one for schools. She doesn't know if she is ready to ask them to do that. We are adding on more costs to citizens. We may need to find other ways. If we do it we need to pick. Councilmember Bond responded that our Mayor is qualified to deal with the Legislature. He has worked as a Senator. We should be able to negotiate and navigate. In the 70's another Mayor did a proposal. He asked the voters to vote on it and it was designated only to public safety and the votes said yes. People want solutions to the public safety issues. Officers leave because of staffing issues. They need better vehicles. It is deplorable of how the Fire fighters building are. There are citizens who get together and renovate some, but it is our job to do that. We are tied down by Sales and Ad Valorem Taxes. We want to give them the kind of equipment they need to do their jobs. This is one solution we should not pass up on. We will have a tough five years going in. We need to at least begin the dialogue. Councilmember Moore asked if the Mayor is interested in all three. Councilmember Bond responded that he wanted to lay out his three options that he has researched. Once it is added to the Agenda we can decide which one is the best. The MOST is the best choice. The intent is to get it into the Legislative Package. Chairperson Adrean asked when does the School penny expire? Have you had a conversation with the Mayor? Councilmember Bond responded no, not yet. We are putting our Officers at risk. The firefighters are the first responders. This is something that the Mayor supports. Chairperson Adrean asked about the timing and why it is urgent. Councilmember Bond responded that we need legislation around the second week in February. We need to act as soon as possible. Councilmember Martin asked if he has talked with the Fulton County Delegation. It does not hurt to meet with the Mayor as soon as possible. We need to send it Forward on Condition of you talking with the Mayor by Monday and meeting with the Local Delegation. Councilmember Willis stated that he supports the effort of the legislation. It is a great reason and purpose to have the three legged stool. Councilmember Bond should not be recommended to go and meet with the Mayor. The Mayor has the power to veto if he does not agree with the legislation. We should not ask if someone has had a conversation with the Mayor. He offered a Substitute motion, which supersedes the previous motion. Councilmember Martin stated that you should have talked to the

Mayor. He understands our responsibility. Let's start out talking to each other. He will withdraw his motion. Councilmember Willis offered a motion to **Approve, 4 Yeas, 1 Nay, 1 Abstention.**

**TO EXERCISE LEASE RENEWAL OPTION NUMBER TWO (2) WITH DELL MARKETING, LP**

10-R-0143 (2) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to exercise Lease Renewal Option Number Two (2) with Dell Marketing, LP, for computer hardware and maintenance for the server consolidation utilizing the NASPO/WSCA Contract Number A63307 on behalf of the Department of Information Technology, in an amount not to exceed seven hundred seventy-six thousand six hundred fifty-four dollars and four cents (\$776,654.04); all contracted work shall be charged to and paid from Fund, Department, Organization and Account Number 1001 (General Fund) 050212 (IT Server Management) 5424003 (Computers \$5,000+) 1535000 (Data Processing/ Management Information Systems); and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA, 1/13/10)**

**FAVORABLE ON SUBSTITUTE**

Mr. Stokes stated that we have a Substitute that corrects the FDOA.

**Mr. Dan Smith:** Chief of the Department of Information Technology addressed the Committee by stating that this is the Dell server that is located downstairs. It services the General Fund. It is a large amount of data storage and for corporate file server. It is a significant savings on power and the second renewal lease. Councilmember Martin offered a motion to **Approve on Substitute, 6 Yeas.**

**TO EXERCISE LEASE RENEWAL OPTION NUMBER TWO (2) WITH DELL MARKETING, LP**

10-R-0144 (3) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to exercise Lease Renewal Option Number Two (2) with Dell Marketing, LP, for the purchase of server consolidation backup storage software licenses and support utilizing the NASPO/WSCA Contract Number A63307, on behalf of the Department of Information Technology, in an amount not to exceed ninety thousand, three hundred thirty-five dollars and ninety-nine cents (\$90,335.99); all contracted work shall be charged to and paid from Fund, Department, Organization and Account Number 1001 (General Fund) 050201 (IT Security) 5424004 (Software (5,000+) 1535000 (Data Processing/Management Information System); and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA, 1/13/10)**

**FAVORABLE ON SUBSTITUTE**

Mr. Stokes stated that we have a Substitute to correct the FDOA. Mr. Smith stated that this is the backup software. Councilmember Martin offered a motion to **Approve on Substitute, 6 Yeas.**

## **ITEMS NOT ON AGENDA**

**Mr. James Allen:** addressed the Committee by stating that the Mayor went to Washington, D.C. to get \$3 million dollars for the Peachtree Street cars. We have crime, unemployment, homelessness, etc. to be fixed in this City. A streetcar is a toy. He already has MARTA. The Mayor needs to stop playing games and not talk out of both sides of his mouth. Any money should not be played with. He will be watching this Committee. He has worked at the Atlanta Housing Authority for 30 years. You have to watch these consultants as well. Check with your employees first before hiring consultants. He is a deacon and the son of a preacher. Nowhere in the bible does it say lock a poor person up. When we mistreat people, God is not pleased with it and we are out of fellowship with him. He suggests that all of you read the *Rise and Fall of the Roman Empire*.

**Mr. Patrick Smith:** addressed the Committee by stating that he wants to discuss the Atlanta River Plan. We want to make it into a lake front. The River will pass Centennial Park and snake around East Point. This will increase property value and tourism. He is a big fan of in-town sailing. We can have races near Emory. You could build luxury condos. We have a landfill near Moreland. We can make a lot of money with gambling, etc. Chastain Park could be used as a horse park. In Lake Franklin there can be a beach. We have to work out the dynamics with Georgia Tech. We would have to flush out the storm drains. We drain through the lake and canal system. We can go all the way to LaGrange. English Avenue and Washington Park is a hip neighborhood. Transouth is the largest trucking facility. All the truckers can't wait to go there. We have clubs and movie theaters out there. Councilmember Martin asked if you have any money to do this. Mr. Smith responded no, but it is a multi billion project.

## **TO AUTHORIZE THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NO. 1**

10-R-0147 (1) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into Renewal Agreement No. 1 for Sole Source Agreement FC-4737, Operations, Maintenance and Training for the Hemphill Steam Pumping Station with DPS, Infrastructure Monitoring Systems, Inc. on behalf of the Department of Watershed Management/Bureau of Drinking Water, in an amount not to exceed two million dollars and no cents (\$2,000,000.00); all contracted work shall be charged to and paid from the listed Fund Department Organization and Account Numbers in the following amounts FY 2010 - \$1,165,000.00 - 5051 (Water & Wastewater Revenue Fund) 170406 (DWM Drinking Water Pumping Stations) 522002 (Repair & Maintenance-Equipment) 4430000 (Treatment); FY 2011 - \$835,000.00 - 5051 (Water & Wastewater Revenue Fund) 170406 (DWM Drinking Water Pumping Stations) 522002 (Repair & Maintenance-Equipment) 4430000 (Treatment); and for other purposes. **(Finance/Executive Committee Conditional Passage of getting a list of employees, scope of work and principal income from the City, 1/13/10)**

## **FAVORABLE ON CONDITION**

**Mr. George Barnes:** of the Department of Watershed Management addressed the Committee by stating that this paper was on the CUC Agenda yesterday and we were advised it should be on this Agenda. This plant is over 100 years old. There is a stream pump station at that facility. It provides pumping into the system. This company has expertise with pumps and boilers. After the pump station was built there were a lot of problems and a lawsuit to fix the station. It was on the Capital Improvement Program. A lot of modifications are on the way. The contractors are former City employees that work with this company. The Procurement Chief decided that there is no other company that can do the work. The new station will go into

operation this year. Councilmember Moore asked what will happen to the old building. Mr. Barnes responded that it may be on the City's registry. Councilmember Watson asked if this is at Howell Mill and Huff Roads. Mr. Barnes responded, yes. Councilmember Watson asked about the Sole Source issue. Mr. Barnes responded that the Department went out and found only one vendor. These are people who used to work for the City. The Chief determined that they are a Sole Source vendor. Councilmember Watson asked if he will get a call saying that someone else can provide the service. Mr. Barnes responded that there is no guarantee that will not happen. There were two facilities, this one and the Chattahoochee. Councilmember Willis asked if the former employees are collecting pension. He will abstain from voting until he knows who they are. Mr. Barnes responded that he would provide the information of the employees who works with the vendor. Councilmember Moore stated that a company hired these former employees. Do they do anything else? Mr. Barnes responded yes, they have a contract with the City to provide electrical training. Councilmember Martin asked how many people will this company train? Mr. Barnes responded that he does not see the part about the training. Councilmember Martin asked what is the overhead? Will it go to the former employees? It says Operations, Maintenance and Training with DPS. He wants the scope of work.

**Ms. Sheila Pierce:** Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that it is 12 months of work for the duration, part of it is in fiscal year 2010 for \$1 million dollars. DPS, Infrastructure Monitoring, Systems, Inc. will get all of the money and it equals 12 months of work. Councilmember Martin asked how many people are being brought back and the scope of work. Mr. Barnes responded that these are employees that have worked for this company for a number of years. We are hiring a company with expertise. Councilmember Martin asked for the information of the people who make up this company. This plant will soon be phased out. Mr. Barnes responded that he will provide the information. Councilmember Martin asked if this is the only source for pumping water to the Buckhead area. When will the new facility come on board? Will it be operated solely by employees and we will no longer need to use the company. We get papers sometimes where the dots are not connected. DPS has an ongoing contract. How much is it? Mr. Barnes responded \$2 million dollars and it is up in February. It was for three years. This renewal is for another year of \$2 million dollars and will not be extended. Councilmember Martin stated that the pumping Station on Northside and Fourteenth Streets is different. Mr. Barnes responded that there were issues with the contractors, the designers and engineers. It was for another pumping station. Chairperson Adrean asked who else do they serve and are we their main source of revenue. Councilmember Wan offered a motion to Approve. Councilmember Martin offered a Substitute motion to **Approve on Condition of getting a list of employees, scope of work and principal income from the City, 5 Yeas, 1 Abstention.**

Concluding, Chairperson Adrean stated that our former Chair is at home recuperating from an accident.



**ADJOURNMENT**

Having no further business before the Committee, the meeting was adjourned at 3:20 p.m.

Respectfully submitted,

Roosevelt Council, Interim CFO

Charlene Parker  
Recording Secretary

***“The Department of Finance... because customer service is important to us.”***